

ASSEMBLY BILL

No. 216

Introduced by Assembly Member Oropeza

February 3, 2005

An act to amend Section 12241 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 216, as introduced, Oropeza. Election precincts.

Existing law authorizes the elections official conducting local, special, or consolidated elections, or statewide elections other than the direct primary, presidential primary, or general election, to divide the territory within which the election is to be held into special election or consolidated election precincts by consolidating existing precincts, as specified. Existing law further authorizes that official to change and alter the precincts for those elections as often as needed. Existing law requires the polling place used for a consolidated precinct to be located within the boundaries of the consolidated precinct.

This bill would additionally require, on and after January 1, 2006, that if the polling place designated for a precinct has been relocated from the location that was used as a polling place during the preceding 2 consecutive statewide elections, the elections official post, or provide to be posted, a notice of the location of the new polling place in a format and manner deemed appropriate by the local elections official. This bill would express the intent of the Legislature that, to the extent possible, the polling place used for a consolidated precinct be established in a facility that is easy to locate, identifiable, easily recognizable, large enough to accommodate the voters of the consolidated precinct, and accessible to elderly and disabled voters.

By imposing new duties on local elections officials, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12241 of the Elections Code, as added
2 by Section 5 of Chapter 904 of the Statutes of 2001, is amended
3 to read:

4 12241. (a) The elections official conducting local, special, or
5 consolidated elections, or statewide elections other than the direct
6 primary, presidential primary, or general election, for the purpose
7 of the election, may divide the territory within which the election
8 is to be held into special election or consolidated election
9 precincts by consolidating existing precincts, or otherwise,
10 subject to Section 12222, and may change and alter the precincts
11 for those elections as often as occasion requires. ~~Not~~

12 (b) *Not* more than six existing precincts may be consolidated
13 into one special election or consolidated election precinct. ~~The~~

14 (c) *The* polling place used for a consolidated precinct shall be
15 located within the boundaries of the consolidated precinct.

16 ~~(b) This section shall become operative on January 1, 2005.~~

17 (d) *Commencing January 1, 2006, if the polling place*
18 *designated for any precinct has been relocated from the location*
19 *used during the preceding two consecutive statewide elections,*
20 *the elections official shall post, or provide to be posted, a notice*
21 *of the location of the new polling place in a format and manner*
22 *deemed appropriate by the local elections official.*

23 (e) *It is the intent of the Legislature that, to the extent possible,*
24 *the polling place used for a consolidated precinct be established*
25 *in a facility that is easy to locate, easily identifiable and*

1 *recognizable, large enough to accommodate the voters of the*
2 *consolidated precinct, and accessible to elderly and disabled*
3 *voters.*

4 SEC. 2. If the Commission on State Mandates determines that
5 this act contains costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.

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